

UNITED STATES DISTRICT COURT  
DISTRICT OF VERMONT

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

2011 MAY 18 PM 2:50

BY AK CLERK  
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Charles Chandler,  
Plaintiff  
V.  
)

CIVIL ACTION  
DOCKET NO.

11-11-cv-131

Central Vermont Public Service Inc.  
individually  
Lawrence Reilly ,  
individually and  
Him as an employee of the Central Vermont Public Service Inc.  
Linley " Butch " Sutherland  
individually and  
Him as an employee of the State of Vermont  
Scott Adnams  
individually and  
Him as an employee of the State of Vermont  
James Volz  
individually and  
Him as an employee of the State of Vermont  
John Burke  
individually and  
Him as an employee of the State of Vermont  
David Coen  
individually and  
Him as an employee of the State of Vermont

Defendants

COMPLAINT

NOW COMES the Plaintiff, Charles Chandler, to complain as follows:

PARTIES

1. Plaintiff, Charles Chandler is a citizen and resident of the United States and former decorated non-commissioned officer of the United States Marine Corps

1.

,Vietnam Era Veteran , Business Owner of Chandler Electric Company for the Tri State area and Father of three children , residing in Newfane, Vermont.

2. Defendant, Central Vermont Public Service Inc. is / was at all times relevant to the matters set forth herein, a Corporation operating in the State of Vermont and regulated by the State of Vermont and further acting under color of State of Vermont Law of the United States with a main office located at 77 Grove Street, Rutland , Vermont .

3. Defendant, Lawrence " Larry " Reilly is / was at all times relevant to the matters set forth herein, an employee/ Manager of Central Vermont Public Service Corporation located at 77 Grove Street, Rutland , Vermont and as an individual and citizen and resident of the United States residing in Rutland , Vermont .

4. Defendant, Linley " Butch " Sutherland is / was at all times relevant to the matters set forth herein, an employee of the State of Vermont, Division of Public Safety with an office located at 100 Mineral Street Suite 307 , Springfield , Vermont 05156 and as an individual and citizen and resident of the United States residing in Springfield , Vermont .

5. Defendant, Scott Adnams is / was at all times relevant to the matters set forth herein, an employee of the State of Vermont, Division of Public Safety with an office located at 100 Mineral Street Suite 307 , Springfield , Vermont 05156 and as an individual and citizen and resident of the United States residing in Springfield , Vermont .

6. Defendant, James Volz is / was at all times relevant to the matters set forth herein, an employee of the State of Vermont, Public Service Board with an office located at 112 State St. Drawer 20 , Montpelier , Vermont 05620-2701 and as an individual and citizen and resident of the United States residing in Montpelier , Vermont .

7. Defendant, John Burke is / was at all times relevant to the matters set forth herein, an employee of the State of Vermont, herein, an employee of the State of Vermont, Public Service Board with an office located at 112 State St. Drawer 20 ,

**Montpelier , Vermont 05620-2701 and as an individual and citizen and resident of the United States residing in Montpelier , Vermont .**

**8. Defendant, David Coen is / was at all times relevant to the matters set forth herein, an employee of the State of Vermont, herein, an employee of the State of Vermont, Public Service Board with an office located at 112 State St. Drawer 20 , Montpelier , Vermont 05620-2701 and as an individual and citizen and resident of the United States residing in Montpelier , Vermont .**

**JURISDICTION**

**9. Jurisdiction is vested in this Court pursuant to 28 U.S.C. 1343, in that the Plaintiff alleges deprivation of federal civil rights by persons acting under color of state law resulting in liability under 42 U.S.C. 1983 , 42 U.S.C. 1985 . Further, Jurisdiction is vested in the Court pursuant to 15 USCS 1 , 2 , et, seq. , and 18 U.S.C. ss 1962 -1964 ( R.I.C.O. ) in that the Defendant's acts were in part that of a clearly organized group of persons acting together to commit crimes against a Business and or Person conducting trade or business within two or more States within the United States of America. Still further, Jurisdiction is vested in the Court pursuant to 18 U.S.C. 872 , 1951 due to the retaliation by the Defendants , upon the Plaintiff as a result of the Plaintiff exposing the Defendants' criminal behavior and the Deliberate and malicious cause of violating the Plaintiffs United States Civil Rights .**

**FACTUAL ALLEGATIONS**

**10. On November 8, 2010 the Defendants did in fact attempt to deny the Plaintiff all of his United States Constitutional rights and very life when the Defendants started a fire at the Plaintiffs Home and Business at 1075 Route 30 , Newfane , Vermont . The plan of**

the Defendants was to burn the Plaintiffs Home/Business down and thereby killing the Plaintiff and causing his business to close permanently. The Plaintiff runs an Electrical Contracting business in the Tri-State area of New Hampshire , Vermont and Massachusetts. The Plaintiff constructs Utility Power Lines and competes with Central Vermont Public Service Corporation as well as other Utility Companies in the Tri-State area. The Plaintiff has no problems with other Utility companies in this area however , because the Defendant Central Vermont Public Service Corporation ( C.V.P.S ) loses “ Construction Jobs “ to the Plaintiff Charles Chandler of Chandler Electric Company ( C.E.C. ) the Defendant C.V.P.S. act hostile and aggressive towards the smaller Utility Company Chandler. Defendant C.V.P.S. has caused work stoppages for the Plaintiff when Defendant CVPS will use their trucks and employees to block construction jobs that the Plaintiffs Company is engaged in. Further, Defendant CVPS will , “ go behind the back of the Plaintiffs Company “ and secretly offer some people , financing or delayed payment schedules to stop these customers from doing business with the Plaintiff. An example of this is when the Plaintiff had a signed contract with his Company and High Point Ventures , LLC. To construct a Utility line for a housing development. CVPS told the H.P.V. LLC to break their agreement with the Plaintiffs Company and then the Defendant CVPS would allow the customer to make delayed payments for the construction. Defendant CVPS only offers these deals if the customer declines services with the Plaintiffs Company C.E.C . Vt. S.C. Docket # 321-7-05 Wmcv This monopolistic behavior cost the Plaintiff over \$ 110,000.00 as the Plaintiff purchased the materials for this job, could not return them, they are specific to the Defendant C.V.P.S. Service area only and because of the Defendant C.V.P.S. The Plaintiff was unable to construct this utility line. Another example of the Defendant C.V.P.S. Monopolistic and Anti trust Act violations is when Defendant C.V.P.S. Delays or refuses to energize the Plaintiffs utility lines so as to punish the Plaintiffs customers for doing business with the Plaintiff and further making it known that, .... “ to all persons , if you have Chandler Electric Company build your utility lines , you will have a very

long wait to see if and when we may energize it....” Still , another example is when Defendant C.V.P.S. Will tell customers that the Plaintiff does poor quality work or that the Plaintiff is unlicensed to perform electrical construction , both accounts are clearly false and are perpetrated to cause injury to the Plaintiff.

11. On November 8 , 2010 the Plaintiff repeatedly called the Defendant C.V.P.S as their utility line had once again repeatedly fell down on the Plaintiffs property. A fierce fire erupted because of the Defendant C.V.P.S. Poorly constructed utility line which burned down the Plaintiffs materials shed and destroyed the Plaintiffs Electrical materials , “ See: attached Exhibits A “ .

12. The Defendant C.V.P.S. Refused to respond to this fire and turn off their electrical line for almost two and a half hours . The Defendant C.V.P.S. Did repeatedly inform the Plaintiff that, ..... “ the power is off you can put the fire out any time now “.... this however was untrue as the Plaintiff could clearly see the High Voltage line jumping up and down on the ground shooting sparks every where. This was merely an unlawful attempt by the Defendants to electrocute the Plaintiff causing his death and putting him out of business.

13. The Defendant C.V.P.S. Has illegally and deliberately destroyed the Plaintiffs property , made an illegal attempt to take the life of the Plaintiff and now the Plaintiff is no longer , “ Safe or Secure “ in his home , business , etc.

14. The Plaintiff has complained to the Defendants in this matter however they have all supported the Defendant C.V.P.S. Illegally in this matter . In fact the other Defendants , Reilly , Sutherland , Adnams , Volz , Burke , and Coen have supported and encouraged Defendant C.V.P.S. To behave in this manner. An example of this is when Defendants Sutherland and Defendant Adnams tell Defendant C.V.P.S. To , “ Not Energize Chandlers Work on a Single Family Dwelling until they issue an energizing permit “ . Where as no permit is required by any State or Federal law nor do Defendants Sutherland and Defendant Adnams require any other Contractor or person to be subjected to this kind of discriminatory rule / order.

15. The Defendants Reilly , Volz , Burke , and Coen make sport of the Plaintiffs

complaints about Defendant C.V.P.S illegal behavior in fact, they support it encourage it and acting under color of Vermont State law claim that, ....“ C.V.P.S. Has every right to behave in this described manner.....” As such the Plaintiff has been injured.

16. Still further , Defendant Volz , Burke , and Coen made it quite clear to the Plaintiff that they would never side with the Plaintiff now or in the future , thus Violating the Plaintiff's U.S. Constitutional Rights , Amendment 14 , “ Not to deny to any person within its jurisdiction the equal protection of the laws. ” , “ No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States ; nor shall any State deprive any person of life , liberty , or property , without due process of law ; and Amendment 1 , “ the right to petition the Government for redress of grievances ”.

17. As a result of the Defendants acts , the Plaintiff , Charles Chandler has been injured .

18. The Defendants have reduced the Plaintiffs enjoyment of life, and caused a financial burden upon the Plaintiff to defend his life , property and liberty.

19. The Defendants have violated the Plaintiffs Vermont State Constitutional Right, Article 1. “..... certain natural, inherent, and unalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety.....”

20. The Defendants have violated the Plaintiffs United States Constitutional rights Amendments One , Four , Six , and Fourteen .

21. The Defendant's acts and omissions were deliberate , willful , unlawful and malicious in nature and are the sole and proximate cause for the Plaintiffs losses.

22. The Plaintiff states he has Probable Cause to believe that the Defendants have committed the offense(s) of Vt. Statutes Annotated Neglect of Duty V.S.A. Title 13 ss 3006 and violation of 18 U.S.C.A. ss 872 , ss 1951 , 1962-1964 ( R.I.C.O. ) as well

as 15 USCS 1 , 2, et.al and 42 USC 1983 , 1985 .

**23. Whereas , the credibility and behavior of the Defendants is Sham at best and criminal and completely unacceptable .**

**24. The Plaintiff has never seen such disregard for the law as by the Defendants unless you compare them to other notorious criminals in history .**

**25. The Defendants are beyond rehabilitation and should be arrested and imprisoned immediately so as to protect the public from their criminal behavior.**

**26. The Defendants have allowed the Plaintiff to be subjected to the Defendant CVPS Harassment , Threats and repeated slanderous false remarks. The Defendants Volz , Burke , Coen , Sutherland, Adnams and Reilly have granted no relief to the Plaintiff with regard to this matter as required by Law, has ignored all of the Plaintiffs complaints as they have consistently done in the past to the Plaintiff in numerous other cases.**

**27. The Defendants believes the Plaintiff should not be allowed any rights to equal protection by law or any other rights for that matter.**

Plaintiff respectfully requests that this Honorable Court immediately intervene in this matter and grant the Plaintiff relief forthwith.

#### **FIRST CLAIM FOR RELIEF**

Plaintiff re-alleges paragraphs 1 through 27 above as if set forth in full herein .

**28. The Defendants Sutherland , Adams , Volz , Burke , Coen occupied the official capacity of a Vermont State employee , State of Vermont Officer , had a duty to know the Vermont laws and procedures prior to allowing Defendants C.V.P.S. and Reilly to threaten the Plaintiff with Death or other Monopolistic practices. The laws and regulations of the State of Vermont are clearly enunciated and easily understood even by a lay person. No Vermont Law or regulation grants any person any such right , power or authority to threaten a person or behave in the manner that the Defendants acted . When**

they secretly threatened the Plaintiff and his business . The Defendants injured the Plaintiff and are liable to Plaintiff for Damages under 42 U.S.C. ss 1983 .

**SECOND CLAIM FOR RELIEF**

Plaintiff re-alleges paragraphs 1 through 27 above as if set forth in full herein.

29. The Defendant acts were to seize the Plaintiffs image , embarrass , humiliate , harass , intimidate, and deliberately inflict emotional injury upon the Plaintiff which they succeeded in doing . The Defendants injured the Plaintiff and are liable to Plaintiff for Damages under 42 U.S.C. ss 1983 .

**THIRD CLAIM FOR RELIEF**

Plaintiff re-alleges paragraphs 1 through 27 above as if set forth in full herein.

30. The Defendants denied the Plaintiff his protected rights under the United States Constitution Amendments One , “ the right to petition the Government for redress of grievances “ the Defendants would not allow the Plaintiff the right to file a complaint against their criminal friends . In barring the Plaintiff his right the Defendants injured the Plaintiff and are liable to Plaintiff for Damages under 42 U.S.C. ss 1983

**FOURTH CLAIM FOR RELIEF**

Plaintiff re-alleges paragraphs 1 through 27 above as if set forth in full herein .

31. The Defendants illegally and secretly behaved in a manner to drive the Plaintiff out of business so as to prevent the Defendant C.V.P.S. From having to lower their utility line construction prices and thereby protecting their monopoly. The Defendants attempted to seize the Plaintiffs Home / Business and property a clear violation of the Plaintiffs United States Constitutional right Amendment Four ,“ The right of the people to be secure in

their persons , houses , papers , and effects , against unreasonable searches and seizures , shall not be violated , “ by way of Fire and threats.

The Defendants injured the Plaintiff and are liable to the Plaintiff for Damages under 42 U.S.C. ss 1983 .

**FIFTH CLAIM FOR RELIEF**

Plaintiff re-alleges paragraphs 1 through 27 above as if set forth in full herein.

32. Defendants Volz , Burke, Coen, Sutherland and Adnams did use their influence and position as a Vermont Officer and acting as an individual , did allow Defendants C.V.P.S. And Reilly to injure the Plaintiff with their Monopolistic trade acts and to allow said Defendants to illegally seize the Plaintiffs property by fire. The Defendants were acting under color of state law in that they claimed a power on the part of the judiciary and State of Vermont and did violate the Plaintiffs United States Constitutional Right Amendment 14. “ ....no State shall deny any person within its jurisdiction the equal protection of the laws “ . The Defendants not only denied the Plaintiff equal protection of the laws they encouraged the perpetrators to act with disregard for the law or fear of prosecution. The Defendants acts were unlawful , intentional , willful , and deliberate . The Defendants’ sole and exclusive purpose was to embarrass , humiliate , harass , intimidate and seize the Plaintiffs image and property and violate his civil rights which they succeeded in doing . Further , the Plaintiff suffered financial losses of income at his electrical business due to the Defendants unlawful acts . All of the Defendants acts were taken jointly under color of State Law and by their own personal influence as Vermont State employees.

The Defendants are liable to Plaintiff for damages under 42 U.S.C. ss 1983 and damages threefold under 18 U.S.C. 1964 .

**SIXTH CLAIM FOR RELIEF**

Plaintiff re-alleges paragraphs 1 through 27 above as if set forth in full herein.

33. The Defendants scheme which consisted of Defendant C.V.P.S. and the six other people mentioned here has been an ongoing series or chain of acts for at least three years and is prohibited and defined by M.P.C. ss 212.5 and 18 U.S.C. 1951 , 1962-1964 ( R.I.C.O.) This misuse of official responsibilities and power is unlawful. The Defendants sole and exclusive purpose was to embarrass , humiliate , harass , intimidate , extort , and unlawfully seize the Plaintiffs Image and property which they succeeded in doing. The Defendants acts were unlawful , intentional , willful , and deliberate . The Defendant acts were taken under color of State law . The Defendants are liable to Plaintiff for damages under 42 U.S.C. ss 1983 , and damages threefold under 18 U.S.C. 1964 As a direct result of all of the Criminal Acts and omissions by the Defendants described herein , Plaintiff has been damaged .

3

**WHEREFORE , the Plaintiff Prays that this Honorable Court grant Plaintiff judgment and the following relief :**

1. **Compensatory damages in such amount as the trier of fact may deem just .**
2. **Punitive damages where allowed by law.**
3. **Compensatory and Punitive damages threefold where allowed by law.**
4. **Plaintiff's reasonable costs and attorney's fees as allowed by law.**
5. **Such other and further relief as this Court may deem just and equitable .**
6. **Grant a Protective Order from this Court barring the Defendants from having any contact with the Plaintiff or his family.**
7. **Immediately cite the Defendants with a Criminal Complaint from this Court and prohibit them from holding any public office until the outcome of their Criminal case.**

DATED at Brattleboro , Vermont this 18 day of May , 2011.



Charles Chandler  
1075 Vt. Route 30  
Newfane , Vermont 05345  
802-365-7701 ( Phone )  
802-365-7685 ( fax )

PLAINTIFF

**DEMAND FOR JURY TRIAL**

Plaintiff demands a jury trial on all issues so triable .

DATED at Brattleboro , Vermont this 18 day of May , 2011 .



Charles Chandler  
1075 Route 30  
Newfane, Vermont 05345  
802-365-7701  
Plaintiff